

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

XO Illinois, Inc.)	
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Petition for emergency relief to protect)	Docket 05-
Petitioner's 2004 Annual Report from)	
Disclosure for not less than five years)	
In order to protect highly proprietary)	
Information)	

**VERIFIED PETITION OF XO ILLINOIS, INC. FOR PROPRIETARY
TREATMENT OF ITS 2004 ANNUAL REPORT**

XO Illinois, Inc. ("XO"), by its attorneys, hereby petitions the Illinois Commerce Commission ("ICC") for emergency relief to protect Petitioner's Annual Report from disclosure for not less than five years in order to protect the Company's highly proprietary information contained therein. In support of its Petition, XO states as follows:

1. XO has licenses from this Commission to provide facilities based and resold local exchange service and interexchange service in Illinois.
2. XO is required to file its 2004 Annual Report with the ICC pursuant to 220 ILCS 5/5-109 of the Illinois Public Utilities Act.
3. XO's Annual Report contains highly proprietary and confidential commercial and financial information. The disclosure of said information to competitors or potential competitors would be detrimental to XO and provide an unfair advantage to XO's competitors.

4. The telecommunications industry is highly competitive, and it is imperative that the proprietary information contained in XO's 2004 Annual Report receive confidential treatment for at least five years following the issuance of an Order by this Commission.

5. Section 7 of the Illinois Freedom of Information Act (5 ILCS 140/7(g)) exempts from public disclosure "trade secrets and commercial or financial information . . . where the trade secrets or information are proprietary, privileged or confidential." XO's 2004 Annual Report is protected by this exemption.

6. XO seeks an Order from this Commission, without hearing, protecting the entirety of XO's 2004 Annual Report from disclosure for a period not less than five years.

WHEREFORE, XO Illinois, Inc. respectfully requests that this Commission enter an Order, without hearing, protecting the entirety of XO's 2004 Annual Report from disclosure for a period not less than five years.

DATED: February 25, 2005

Respectfully submitted,

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